

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Denied as moot. See Doc. 23

  
Karen L. Lifkowitz  
United States Magistrate Judge  


**CHRISTOPHER DAVIS SCOTT,**

**Plaintiff,**

**1:21-cv-00293-KLL**

v.

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

**Notice of Motion for Attorney's  
Fees Pursuant to the  
Equal Access to Justice  
Act, [28 U.S.C. § 2412](#) (West)**

**COUNSEL:**

**PLEASE TAKE NOTICE** that upon the annexed affirmation of Richard F. Brian, attorney for Plaintiff, and other papers, Plaintiff will make a motion before the Court on a date to be set by the court, for an order:

1. Awarding an Equal Access to Justice Act Counsel Fee for \$5,522.76; and
2. Awarding costs in the amount of \$402.00; and
3. If Plaintiff has no debt registered with the Department of Treasury subject to offset that the fees be made payable to the attorney.

Plaintiff's attorney, Richard F. Brian, moves the court for an award to be paid by the Defendant under the Equal Access to Justice Act, [28 U.S.C. § 2412](#).

There are no special circumstances in this case which make an award under the EAJA unjust.

This motion is supported by an affirmation of Plaintiff's attorney, attached time and cost records and a Waiver of Direct Payment by Plaintiff.

Executed this July 1, 2022

Respectfully submitted,

/s/ Richard F. Brian  
Richard F. Brian, Esq.  
Bar Roll #0020816  
Attorney for Plaintiff  
Of Counsel, Olinsky Law Group  
5405 Konen Avenue, NW  
Canton, OH 44718  
Telephone: 330-495-3176  
Facsimile: 330-348-5182  
Email: [rbrian1005@gmail.com](mailto:rbrian1005@gmail.com)